

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>JONATHAN LEE RICHES,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL NO. 08-cv-448-MJR</b>
	)	
<b>HOWARD KURTZ,</b>	)	
	)	
<b>Respondent.</b>	)	

**MEMORANDUM AND ORDER**

**REAGAN, District Judge:**

Petitioner, an inmate in the Federal Correctional Institute located in Salters, S.C., (“FCI-Williamsburg”) and a notorious “frequent filer,”<sup>1</sup> brings this habeas corpus action pursuant to 28 U.S.C. § 2241 to obtain a transfer from FCI-Williamsburg to the Federal Correctional Institute located in Pekin, Illinois (“FCI-Pekin”) in order to be closer to his girlfriend.

Rule 4 of the Rules Governing Section 2254 Cases in United States District Courts provides that upon preliminary consideration by the district court judge, “[i]f it plainly appears from the face of the petition and any exhibits annexed to it that the petitioner is not entitled to relief in the district court, the judge shall make an order for its summary dismissal and cause the petitioner to be notified.” Rule 1(b) of those Rules gives this Court the authority to apply the rules to other habeas corpus cases. After carefully reviewing the petition in the present case, the Court concludes that Petitioner is not entitled to relief, and the petition must be dismissed.

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<sup>1</sup>*See Riches v. Karpinski*, 2008 WL 2564785 (W.D. Wis. June 25, 2008) (noting numerous meritless lawsuits).

At the outset, this Court notes that neither Petitioner nor his immediate custodian is located in this judicial district.<sup>2</sup> Thus, this Court lacks personal jurisdiction over any party to this action. More importantly, a writ of habeas corpus pursuant to § 2241 does not extend to a prisoner unless he meets the criteria set forth in 28 U.S.C. § 2241(b)(1) - (5). In this case, Petitioner's desire to be transferred to be closer to his girlfriend does not state a claim for habeas relief pursuant to § 2241(b)(1) - (5). Therefore, § 2241 cannot provide Petitioner with the desired relief, and this action is summarily **DISMISSED** with prejudice.

Alternatively, the Court notes that Plaintiff has failed to file a motion to proceed *in forma pauperis* or pay the required filing fee within thirty days as directed by this Court (Doc. 2). Therefore, Petitioner's application for a writ of habeas corpus pursuant to § 2241 is also **DISMISSED**, with prejudice, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

**DATED this 23rd day of July, 2008.**

s/ Michael J. Reagan  
**MICHAEL J. REAGAN**  
**United States District Judge**

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<sup>2</sup>The Court further notes that FCI-Pekin is located in the Central District of Illinois, not in this district.